

# MANDATE

E.D.N.Y.-Bklyn  
13-cv-120  
Glasser, J.

United States Court of Appeals  
FOR THE  
SECOND CIRCUIT

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At a stated term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, 40 Foley Square, in the City of New York, on the 20<sup>th</sup> day of June, two thousand fourteen.

Present:

Pierre N. Leval,  
Reena Raggi,  
*Circuit Judges.*<sup>1</sup>

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Albert Rudgayzer, *et al.*,

*Plaintiffs-Appellants,*

v.

13-4575

Google Inc.,

*Defendant-Appellee.*

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Appellee moves to dismiss the appeal as moot, because the order appealed from has since been vacated by the district court. Upon due consideration, it is hereby ORDERED that the motion is GRANTED and the appeal is DISMISSED as moot. *See Fort Knox Music, Inc. v. Baptiste*, 257 F.3d 108, 110 (2d Cir. 2001).

FOR THE COURT:

Catherine O'Hagan Wolfe, Clerk of Court

  


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<sup>1</sup> Because Judge Chester J. Straub, originally assigned to the panel, recused himself from this case, the remaining two judges issue this order in accordance with Second Circuit Internal Operating Procedure E(b).

A True Copy

Catherine O'Hagan Wolfe, Clerk

United States Court of Appeals, Second Circuit

  


MANDATE ISSUED ON 07/11/2014